



FAX COVER SHEET FOR MESSAGE FROM:

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MAY 29 2003

PETITIONS OFFICE

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Derek L. Woods
TO: Petitions Attorney

DATE: 5/29/2003

MESSAGE

Re: Petition in 09/428,794

Request For Reconsideration of Dismissal of Petition
(without prejudice) Follows. The Request consists of
3 pages : 2 pages of text + 1 page of Attachment

V/R

Kent N. Stone

Reg. No. 31,883

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Duffy, et al
Attorney's Docket No. LEW 16,833-1
Serial No. 09/498,794
Filing Date: 02/01/2000
For: "Self-Tuning Impact Damper for Rotating Blades"
Group Art Unit: 3745

Commissioner for Patents
Mail Stop: DAC
P.O. Box 1450
Alexandria, VA 22313-1450

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REQUEST FOR RECONSIDERATION
OF DISMISSAL OF PETITION
TO ACCEPT MISSING ITEM IN NEW APPLICATION UNDER 37 CFR 1.182

1. Petitioner, the National Aeronautics and Space Administration, an agency of the federal government, respectfully requests that the Commissioner reconsider the dismissal of the petition in the captioned application, said dismissal being dated May 15, 2003, for the reasons stated herein.
2. Said petition sought to have the USPTO accept one page (page 7) of a specification in said application, which the petitioner contends was transmitted by Express Mail to the USPTO, but that said page 7 was apparently not received by the USPTO.
3. In his decision dismissing the petition without prejudice, Petitions Examiner Derek Woods states " ...Petitioner should submit a copy of the return receipt post card evincing receipt by the Office of page 7 of the specification."
4. Attached hereto as Attachment 1 and incorporated herein by reference, is a photocopy of the return receipt postcard which evidences USPTO receipt of the application as filed by Express mail on February 1, 2000.
5. The undersigned certifies that the Attachment 1 is a True Copy of the return receipt post card, and has not been altered in any way. The post card is stamped with a USPTO sticker. The post card lists the items sent, and specifically says "Application- 29 pages specification +12 sheets drawings".
6. In light of this new evidence, taken in conjunction with the Declaration of Kent N. Stone filed with the petition, which explains the circumstances surrounding the

packaging and mailing of the application, it is respectfully requested that the decision to dismiss the petition be reconsidered.

Respectfully,



Kent N. Stone
Registration No 31, 883
Attorney of Record

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Office of Chief Counsel
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing document consisting of 3 pages is being transmitted by facsimile (fax) from telephone number (216) 433-6790 to the USPTO at telephone number (703) 308-6916 on date 5/29/2003 at approximately 11:15AM, Eastern Standard/Daylight Savings Time.





Kent N. Stone
PTO Reg. No. 31,883

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00-126 a 3-6-00

 National Aeronautics and Space Administration		Patent Application Receipt		jc712 U.S. PTO 09/498794
NASA CASE NO.	LEW 16, 833-1			
FILING DATE	2-1-2000		02/01/00	
APPLICATION SERIAL NO.	(TO BE ASSIGNED)			
APPLICANT	Duffy, et al			
TITLE	Self-Tuning Impact Damper For Rotating Bodies			
RECEIPT OF THE FOLLOWING PAPERS IS EVIDENCED HEREON BY THE OFFICIAL STAMP OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.				
- PTO SB/5 - Utility App Transmittal - PTO SB/17 - Fee Transmittal - NASA Form 1538 - Declaration, Power of Attny, Petition - Assignments of Duffy; Brown; Bayley w/2 Recommendation Forms, each - Application - 29 pages specification + 12 sheets drawing - Infr. Disc. stat w/ PTO 1449 & patents & articles				
NASA FORM 432 SEP 96 PREVIOUS EDITIONS ARE OBSOLETE. <i>KWS</i> <i>2-1-2000</i>				

Attachment 1